DETAILED ACTION

This Office Action is responsive to Applicant's Amendment – After Non-Final Rejection, filed December 18, 2009. Claims 1, 4, 5, 7-12, & 16 are pending; of which, Claims 1, 4, 5, 7, 8, & 11 are amended. Claims 2, 3, 6, 13-15, & 17 are cancelled.

Response to Amendment

Applicant's amendments with respect to Claims 1, 4, 5, 7, 8, & 11 have been fully considered and are entered. The 112-indefinite rejections of Claim 4, 11, & 16 have been withdrawn per amendment. The objections to Claims 1, 7 & 8 have been withdrawn per amendment. The 102-prior art rejections to Claims 1, 3, & 5-7 over US 3,629,284 and Claims 1 & 4-7 over US 3,752,826 have been withdrawn per amendment.

Statement of Reasons for Allowance

The amendment to Claims 1, 4, 5, 7, 8, & 11, wherein R' = SO_2Rd, in conjunction with the limited scope of variables Hy, Rd, & R, has substantially reduced the scope of the instant claims. As such, a comprehensive search and examination of formula (Ia) has been made. The Examiner finds that the formula (Ia) is free of the prior art; nothing known in the art anticipates or renders the compounds of the instant application obvious. The closest prior art related to the formula (Ia) has been made of record.

The instant compounds according to formula (Ia) are potent inhibitors of IL-8. *See* Table 1 on p. 16. The prior art supports the nexus between the inhibition of IL-8

and the treatment of various disorders. For instance, K. Xie (*Cytokine and Growth Factor Reviews* 2001, *12*, 375-391) states on p. 380 that "several reports indicate that expression of IL-8 correlates with disease progression in human melanoma." With respect to inflammatory disorders, Yang *et al.* (*Journal of Leukocyte Biology* 1999, *66*, 401-410) states on p. 401: "Agents that block the binding of IL-8 to its receptor have been shown to block inflammation in animal models of disease. This suggests that drugs specifically targeting IL-8 may prove efficacious in treating multiple human diseases."

Therefore, the Examiner finds that one of ordinary skill in the art would be enabled to make and use the compounds taught herein for the purpose of treating specific inflammatory diseases, as well as melanoma, using the teachings of the specification in conjunction with the disclosures of the relevant prior art.

Conclusion

Claims 1, 4, 5, 7-12, & 16 are allowed and are now renumbered as Claims 1-10.

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Nolan whose telephone number is (571) 272-4356 and e-mail is Jason.Nolan@uspto.gov. The examiner can normally be reached Monday - Friday (9:00AM - 5:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph M^{c}Kane, may be contacted at Joseph.McKane@uspto.gov or (571) 272-0699.

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/Jason M. Nolan/

Examiner, Art Unit 1626

/Rebecca L Anderson/

Primary Examiner, Art Unit 1626